

The Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

V.

IMMERSION CORPORATION, a
Delaware corporation,

Defendant

No. 2:07-cv-0936 RSM

**PLAINTIFF'S MOTION TO FILE
OPPOSITION AND EXHIBITS
UNDER SEAL**

**Noted for Consideration:
August 4, 2008**

Pursuant to Local Rule 5(g), plaintiff respectfully requests that the Court allow plaintiff to file under seal Microsoft's Opposition to Immersion's Motion for Partial Summary Judgment regarding Microsoft's Claim of Breach of the Implied Covenant and all exhibits (1-15) to the Declaration of Wendy E. Lyon in Support Microsoft's Opposition to Immersion's Motion for Partial Summary Judgment regarding Microsoft's Claim of Breach of the Implied Covenant.

The Opposition contains extensive quotations and references to information designated as "Confidential." All of the exhibits noted above have already been marked "Confidential" by one or more parties to this lawsuit. All of the documents are marked "Confidential" in accordance with the Stipulated Protective Order Regarding Treatment by the Parties of Confidential Documents.

PLAINTIFF'S MOTION TO FILE OPPOSITION AND EXHIBITS
UNDER SEAL (NO. 2:07-CV-936RSM)- 1
4850-6148-3266.01
080408/1411/20363.00411

Riddell Williams P.S.
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Sealing of the opposition and exhibits is authorized under Local Rule 5(g) because the facts warranting sealing overcome the strong presumption in favor of public access to the document. Moreover, the public's interest in accessing the exhibits to the Lyon Declaration is minimal. General information related to the parties' claims can be obtained from defendant's motion. Nor do the exhibits deal with any matters of public importance.

CONCLUSION

For the foregoing reasons, plaintiff respectfully request that the Court allow Microsoft’s Opposition to Immersion’s Motion for Partial Summary Judgment Regarding Microsoft’s Claim of Breach of the Implied Covenant and all exhibits to the Declaration of Wendy E. Lyon in Support of Microsoft’s Opposition to Immersion’s Motion for Partial Summary Judgment Regarding Microsoft’s Claim of Breach of the Implied Covenant to be filed under seal. An order authorizing sealing these documents is submitted herewith.

DATED this 1 day of August, 2008.

/s/ Paul J. Kundtz
Paul J. Kundtz, WSBA #13548
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Wendy E. Lyon, WSBA #34461
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PLAINTIFF'S MOTION TO FILE OPPOSITION AND EXHIBITS
UNDER SEAL (NO. 2:07-CV-936RSM)-2
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CERTIFICATE OF SERVICE

I, Margaret R. Friedmann, declare as follows:

I am over 18 years of age and a citizen of the United States. I am employed as a legal secretary by the law firm of Riddell Williams P.S.

On the date noted below I electronically filed the foregoing document titled **PLAINTIFF'S MOTION TO FILE OPPOSITION AND EXHIBITS UNDER SEAL**, with an attached **[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION TO FILE OPPOSITION AND EXHIBITS UNDER SEAL** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel for Immersion Corporation:

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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Executed at Seattle, Washington this 4th day of August, 2008.

Margaret R. Friedmann
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PLAINTIFF'S MOTION TO FILE OPPOSITION AND EXHIBITS
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